

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

DEBORAH JACKSON,

vs.

U.S. GOVERNMENT, *et al.*

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CIVIL ACTION NO. 6:13-CV-506

**ORDER ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES
MAGISTRATE JUDGE**

Presented for consideration is the Report and Recommendation of the Magistrate Judge (Docket No. 13), which contains her findings, conclusions, and recommendation for the disposition of this matter. The Report and Recommendation recommends granting-in-part Plaintiff's Motion to Dismiss with Prejudice (Docket No. 12). The Report and Recommendation recommends granting the Motion to Dismiss, but without prejudice. Docket No. 13. On December 18, 2013, Plaintiff Deborah Jackson, proceeding *pro se*, received a copy of the Report and Recommendation via certified mail. Defendants, the United States Government and Brookshires Grocery Company, have not been served, nor made an appearance in this case.

On December 30, 2013, Plaintiff submitted written objections to the Report and Recommendation stating that it is her intention to be able to refile her complaint in the future. Docket No. 15. Dismissal with prejudice would mean Plaintiff may not refile later. That is why the Magistrate Judge recommended dismissal without prejudice. Having made a *de novo* review of the written objections filed by Plaintiff, the findings and conclusions of the Magistrate Judge are correct. The Court, therefore, adopts the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is

ORDERED that Plaintiff's Motion to Dismiss with Prejudice (Docket No. 12) is **GRANTED-IN-PART**. The above-entitled and numbered cause of action is **DISMISSED WITHOUT PREJUDICE**.

So ORDERED and SIGNED this 13th day of January, 2014.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE